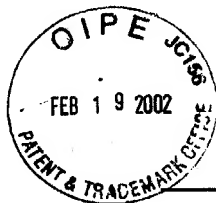


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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of: Acton, Susan L. et al.

Serial No.: 09/779,152

Filed: February 8, 2001

For: *DIAGNOSTIC ASSAYS AND KITS FOR BODY MASS  
AND CARDIOVASCULAR DISORDERS*

Attorney Docket No.: MNI-172CP2

Group Art Unit: 1645

Examiner:

#9  
C. Oleson  
3/14/02

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Commissioner for Patents  
Washington, D.C. 20231

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I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231 on the date set forth below.

January 17, 2001  
Date of Signature and of Mail Deposit  
2002

By:

DeAnn F. Smith  
DeAnn F. Smith  
Registration No. 36,683  
Attorney for Applicants

INFORMATION DISCLOSURE STATEMENT

Dear Sir:

Applicants and their attorney are aware of the following publications and information, listed on the attached PTO Form 1449, and in accordance with 37 C.F.R. §1.97 hereby submit these publications for the Examiner's consideration.

The present application is a Continuation-in-Part Application of U.S. Serial No. 09/031,626, filed February 27, 1998 (Atty. Docket No. MNI-172CP), which is a Continuation-in-Part Application of U.S. Serial No. 08/890,979, filed July 10, 1997 (Atty. Docket No. MNI-172). All references listed on the enclosed PTO Form 1449 have been previously cited by or submitted to the Office in a prior application, and, in

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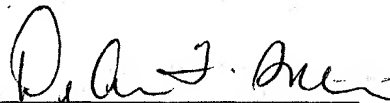
accordance with 37 C.F.R. §1.98(d), copies of these references are not enclosed herewith, but will be provided upon request.

This statement is not to be interpreted as a representation that the cited publications are material, that an exhaustive search has been conducted, or that no other relevant information exists. Nor shall the citation of any publication herein be construed *per se* as a representation that such publication is prior art. Moreover, Applicants understand that the Examiner will make an independent evaluation of the cited publications.

In accordance with 37 C.F.R. §1.97(c)(2) and §1.17(p), the Applicants enclose a check for \$180.00. Please charge any necessary additional fees or credit any overpayments to our Deposit Order Account No. 12-0080.

The PTO did not receive the following  
listed item(s): a check for \$180.00

Respectfully submitted,  
LAHIVE & COCKFIELD, LLP



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Date: January 17, 2002

GAD/AEM/DFS/alf  
Enclosures